

ASKS ALIMONY AS WIFE AND IS CALLED NEGRESS

Suit Against Food Company
Vice-President Results in
Color Line Defence.

THOUGHT PARENTS SLAVES

Man Who Has Married Again
Denies First Ceremony—
Woman Has Certificate.

Surprising affidavits were submitted to Supreme Court Justice Newburger yesterday upon an application by Mrs. Iva Matthews Richardson for alimony pending a suit for separation from Robert Kenyon Richardson, member of a family in Memphis, Tenn., and vice-president and general manager of the Eugene Christian Food Company.

Richardson resisted the motion for alimony on the ground that he never married the plaintiff, and that if he did marry her, the marriage, alleged to have occurred in Tennessee, is prohibited because he is white and the plaintiff "is a negro of the third generation." He said that her father was a full-blooded negro and her mother a mulatto, and that both parents were slaves in Mississippi and owned by the same master.

After reading the affidavits Justice Newburger ordered Richardson to pay \$10 a week alimony and \$100 counsel fee. The court said that while Richardson denies he married the plaintiff, she not only has a marriage license but a marriage certificate, showing that the ceremony was performed by a Methodist clergyman in Memphis on April 21, 1907. Justice Newburger said he wouldn't determine the validity of the marriage under the laws of Tennessee on the affidavits submitted, but the question will have to be decided at the trial.

In her affidavit Mrs. Richardson said she met the defendant in Memphis in 1906 and that he married her "after a short but fervent courtship." Since then she has lived with him as his wife in Cincinnati, Buffalo, Elizabeth, N. J., and New York city. He induced her to give him a diamond ring, bracelet, watch and other jewelry which she says he pawned in days when he was less prosperous than now. She said that when he became an influential member of the community, he forgot his love and affection for her and became infatuated with one Bessie Whaley. She says he took Miss Whaley to his home and installed her as his wife.

Mrs. Richardson said that Richardson and Miss Whaley, calling herself Mrs. Richardson, are now "living in sumptuous grandeur" in an apartment at 810 Riverside Drive, "while the plaintiff, who shared his hardships in less prosperous days, is in dire distress, and but for the kindness of friends would be thrown upon the charity of the country." She says Richardson's family is socially prominent in Memphis.

In his reply affidavit Richardson declares his alleged wife was never more than a housekeeper in his home. He was legally married to Miss Whaley on July 20, 1910, he said, and he took her to his home on September 2. He said that when he took her to the house the plaintiff remained there performing the usual duties of a housekeeper, he said, until January, 1911, and then he claimed to be his wife.

Richardson says he is familiar with the laws of Tennessee relating to mixed marriages and knows that if he had married the plaintiff both would have been guilty of a felony and would have been liable to a sentence of not less than one nor more than five years in prison.

Mrs. Bessie Whaley Richardson makes affidavit in which she says that when Richardson first took her home the plaintiff appeared in a white apron and asked her if there were any orders. She says she believes the plaintiff is a negro because the latter showed her a photograph of her friends and relatives.

E. Bright Wilson, who says he was at one time speaker of the Tennessee House of Representatives in Tennessee, makes an affidavit as to what the law is there concerning the marriage of a negro and a white person, while James W. Osborne says he has known Richardson from boyhood and knows his father and mother were of pure white blood.

J. L. McGhee, an insurance man of Memphis, makes affidavit that he knows the plaintiff's father is Peter Matthews, a negro, and her mother is Mildred Matthews, a mulatto, and that before the war both were the slaves of his aunt, Mrs. Anna McGhee Dandridge, at Carle, Miss.

In reply to these affidavits Mrs. Richardson said that before Richardson brought Bessie Whaley to the house he had been compelled to go through a form of marriage with Miss Whaley, and asked because of "the gross love" they bore for each other that the plaintiff permit Bessie Whaley to come to the house as his wife for a short time, after which he would get rid of her, "and she would go on her own way." She said she and Bessie Whaley treated each other as sisters and addressed each other as Bessie and Iva.

Mrs. Richardson denies there is negro blood in her veins. She says her father is of French-Spanish extraction and that her mother is an Indian. They are both freeborn and lived on a farm in Virginia, she said.

WIFE SUES ACTOR KAPHAN.

Reveals Action to Annul Marriage Following Elopement at 17.

Mrs. Anna Kaphan, who eloped to Hoboken last Christmas with Mortimer Kaphan, an actor who portrays Dickens and Shakespeare roles, got permission yesterday from Supreme Court Justice Newburger to restore to the calendar a suit she has brought to annul her marriage on the ground that she was only 17 years old at the time.

The case came up for trial last spring but Mrs. Kaphan's attorney did not appear because the Appellate Division had just decided in a similar case that the New York courts had no jurisdiction to annul a marriage occurring under such circumstances in New Jersey. Recently the Court of Appeals reversed that ruling and Mrs. Kaphan now believes she will get her decree.

WILLS CASH TO IMPROVE TOWN.

Jawa Banker Leaves \$165,000 for Park, Home and Sewers.

CORVON, N. J., Nov. 8.—Corvon received \$165,000 to-day when the will of A. Walden, for years president of one of the banks here, was probated. Mr. Walden, who was considered eccentric, spent of water, sewer and light service in the city, that \$35,000 be used in the purchase of a public park and \$30,000 be used in the erection of an orphan home.

Can't Find Capitalist's Body.

NORFOLK, Va., Nov. 8.—Lifeguards of the Norfolk Hill station failed to find the body of Oscar Frederick, the wealthy Connecticut capitalist who is believed to have been drowned in Fresh Pond, near Long Island City, yesterday. He went fishing alone with his friends, who went hunting alone. When his friends returned they found the boat, with his gun thrown across the seat in the stern, but Mr. Frederick was missing.

DEAN OF WIRE TAPERS CAUGHT

Charles Bradford, an Old Offender, Is Arrested and Held in \$10,000 Bail

The sixth man in the wire tapping swindle of Kirby Cleveland Sidbury, a young lawyer of Wilmington, N. C., who recently lost \$22,000 in an alleged poolroom in West Eighty-second street, was arrested yesterday by Detectives Joseph Daly and David Wilbur of Headquarters.

He is Charles Bradford, 50 years old, who says he is a commission merchant and lives at 3878 Broadway, and who the police say is the dean of the wire tappers. Mr. Sidbury failed to identify Bradford when he was placed in a line in Commissioner Dougherty's office, but Simon M. Jones of Pittsburgh, Pa., didn't hesitate to say that Bradford was the man who beat him out of \$20,000 in the same poolroom in which the other men were fleeced. Commissioner Dougherty then had Bradford give him a sample of his writing, which corresponded with a letter sent to Sidbury and lured him on to New York.

Bradford is known as Dutch Amonzo. He and George Harrison. He was sentenced to three and a half years in Sing Sing in 1883 for grand larceny, spent a short time in a German prison, was arrested for the robbery of an agent of the Spanish Government of \$40,000, for an \$80,000 mail robbery in Paris and for a \$10,000 robbery in Lausanne, Switzerland. Magistrate Murphy held Bradford in \$10,000 bail for examination on Tuesday, when the five other codefendants will be heard.

JOKER'S VICTIM IN HOSPITAL

Son of Mexican General Unnerved by Students' Halloween Joke.

WASHINGTON, Nov. 9.—As the result of a practical Halloween joke, a Mexican student at the Catholic University, Señor Carlos Huerta, brother of Ricardo Huerta, second secretary of the Mexican Embassy, has been removed to the Washington Asylum Hospital for treatment for his nervous condition.

Señor Huerta is the son of Gen. Huerta, a noted Mexican warrior. Upon returning to his apartment late Halloween night, he heard some one say something about "getting Huerta, the friend of Madero," and a clicking of what he supposed to be a rifle.

Young Huerta barricaded himself in his apartment and endeavored to call the police, but found the telephone disconnected. The jokers, several young men and women who were enjoying a party in the adjoining apartment, appeared at the student's door, demanded admittance and pretended to be trying to break the door in. Believing they were spies he feared an attempt to assassinate him, and when found had collapsed. He failed to recover and his physicians have sent him to the hospital for a course of mental and nerve treatment.

THIEVES NEARLY GET YACHT.

Men Arrested for Trying to Steal "Lounge" Discharged.

An attempt of a band of river thieves to make off with James B. Hammond's gasoline yacht Lounge II, which was tied up at a Nyack shipyard, on October 23, came to light yesterday when Long Island City detectives arrested Dominio Cuzio, 18 years old, of 101 Washington avenue, Long Island City, as a member of the band.

The arrest of young Cuzio was made on a warrant issued by Justice of the Peace Levison at Nyack. Cuzio was taken there late in the day and arraigned, but said he wasn't on the Hammond yacht when the band attempted to sail away with her. His story was corroborated by Edward Kimberlain, who was arrested for the same job on October 24, and he was released. Justice Levison also released Joseph Romano of 183 Washington avenue, Long Island City, who was arrested several days ago in the same case.

IN JAIL FOR ABUSING HORSE.

Butcher Sentenced to Three Days, Besides Fine, for Cruelty.

Harry Becker, a butcher, 21 years old, of 51 East 108th street, was sentenced to three days imprisonment and to pay a fine of \$10 by Magistrate Herbert in the Tombs Court yesterday after Agent John A. Grennan of the humane society had charged him with driving a horse with a raw sore under the collar.

"I used to believe that persons who hired such horses were responsible for this atrocious cruelty," said Magistrate Herbert, "but I have learned that horses that are lame or sore are offered to renters at a reduced rate. Men like you take a horse because he is sore, pay a dollar less a day and then the poor beast works it out. You cannot convince this court that you didn't look under the horse's collar before you hired it. That's the first thing you should do."

MARRIED IN AUSTRIA, NOT HERE.

Jew Who Wedded His Niece in Europe Is Free in This Country.

An unusual matrimonial tangle involving the marriage of an uncle and niece in Austria, their divorce and remarriage in this country, and the subsequent divorce and husband to annul the last marriage on the ground that it was prohibited by law came before Supreme Court Justice Davis yesterday. After the court had called in experts on foreign laws and translators who could turn Hebrew into English he decided that the parties to the suit were never legally married here or in Austria and granted a decree of annulment.

The suit was brought by Keve Zimmerman against Mrs. Minnie Zimmerman, who is his daughter by his first marriage. Mrs. Zimmerman testified that she married her uncle in 1906 in Austria, where there is no law prohibiting an uncle from marrying his niece. Two children were born to them. In 1904 they came to this country.

Mrs. Zimmerman said that soon after she came here her husband got a fraudulent passport to turn Hebrew into English he decided that the parties to the suit were never legally married here or in Austria and granted a decree of annulment.

Mrs. Zimmerman proved by her witnesses that the marriage was never recorded in the official book, although all the other details of the marriage were in the official book and recorded in the official marriage book. Zimmerman proved by her witnesses that the marriage was never recorded in the official book, although all the other details of the marriage were in the official book and recorded in the official marriage book.

Stern Brothers

have made Very Great Reductions in Prices in their entire stock of

Women's Tailored Suits, Dresses and Costumes

and have arranged for To-morrow, a Special Sale of

Tailored Suits,

of Silk Velours, Chiffon Velvets, Velvet Brocades, Matelasse and high cost Imported Fabrics, including Three Piece Garments, trimmed with fur.

at \$49.75, 65.00, 98.50

Heretofore \$69.50 to 145.00

of Chinchilla, Corduroy, Peau de Souris, Velveteens and Velour de Laine, copies of Imported Models, including

\$29.75, 45.00

Heretofore \$47.50 to 75.00

of Diagonals, Army Serges, Broadcloths, Cheviots and Novelty Fabrics, superior tailoring, warmly interlined,

\$16.50, 25.00

Heretofore \$27.50 to 45.00

Horse Show and Opera Gowns,

of Chiffon and Velvet Brocades, Meteors, Novelty Nets and Laces, in plain and elaborate styles,

from \$69.50 to 225.00

Heretofore \$95.00 to 310.00

Afternoon and Evening Dresses,

of Plain and Brocaded Charmeuse, Chiffon Cloths, Velveteens, Charmeuse and

\$27.50, 45.00

Heretofore \$42.50 to 69.50

One Piece Dresses,

of Eponge, Velveteen, Serges and Charmeuse, including style,

\$15.00, 24.50

Heretofore \$22.00 to 39.75

Women's Coats and Wraps

The remainder of this season's High Cost Imported and Domestic Garments, including the latest models, suitable for Opera, Theatre, Horse Show and Street Wear, are now being offered at Substantial Reductions from Original Prices.

Also for To-morrow, Monday,

Opera Wraps of Velvet Brocade,

in black, white and all desirable evening shades, with shawl collar and cuffs of light and dark furs,

Reduced from \$89.50 to \$69.50

Theatre Wraps of Black Brocaded Silk Velvet,

lined with Peau de Cygne, in evening shades,

Reduced from \$62.50 to \$39.75

Motoring Coats of Blankets and Novelty Cloths,

three-quarter and full length, including one model with fur storm collar,

at \$18.50, 22.75

Heretofore from \$29.50 to 39.75

Paris Model Hats

Later creations from the foremost French Milliners will be placed on Sale To-morrow Also exclusive styles from their own workrooms, for Horse Show, Opera and Theatre Wear.

Particular attention is directed to their display of Hats in all the correct furs of the season, including Ermine and Molekin: Black Velvet and Paradise Hats, also new models in Yellow Plush, the latest coloring in vogue in Paris.

For To-morrow, a Specially Prepared Sale of

Smart Hats for Street Wear,

in Plush, Velvet and Fur-trimmed effects,

at \$9.75, 12.50

Fashionable Fur Garments

from the leading Paris Furriers, will be shown Monday, of Molekin, Bisam Seal, Baby Caracul, Ermine, Broadtail and Squirrel combined with other furs.

At Greatly Reduced Prices, ranging from \$325.00 to 1550.00

Also for To-morrow, the following Very Desirable Values in Reliable

WOMEN'S FUR COATS,

Persian Lamb, 52 inches long. Value \$275.00, at \$195.00

Bisam Seal, 54 inches long. Value \$195.00, at 145.00

Mole Coney, entirely new models, at \$95.00, 115.00

Values \$125.00 to 165.00

French Seal, 54 inches long. Value \$110.00, at 75.00

Caracul, superior quality. Value \$65.00, 47.50

FUR SETS,

Bisam Seal, Value \$75.00, at \$59.50

Alaska Sable (Skunk), Value \$62.50, at 43.75

Pointed Sitka Fox, Value \$65.00, at 42.50

Value \$65.00

Black Fox, Values \$37.50 to 59.50

Civet Cat, at \$35.00, 47.50

Values \$49.50 to 69.50

West Twenty-third and Twenty-second Streets

FLYNN DENIES WALDO LETTER MENTIONS HIM

Message Said Not to Name Any
Curran Committee
Employee.

CURRAN PRAISES CHIEF

Communication Won't Be Explained Till Investigation Is Entirely Finished.

The letter Police Commissioner Waldo sent to the Curran Aldermanic committee on Thursday, which the committee held as a secret until matters contained in it had been investigated, was the subject of many rumors yesterday. One of these, which achieved publication in evening newspapers, was to the effect that it contained some sort of criticism of William J. Flynn, secret service chief, former Deputy Police Commissioner and now head of the detectives employed by the Curran committee. The reports had it that Waldo had attacked the methods of the committee's investigators.

The mention of his name brought forth this statement from Chief Flynn: "Much mystery has been attached to the letter sent, Thursday, by Commissioner Waldo to the Aldermanic committee. The communication in question contained copies of two confidential letters written by me to Mayor Gaynor during the winter of 1911, during which time I was second Deputy Commissioner of Police."

"The letters related entirely to matters then connected with the Police Department. Commissioner Waldo's letter to the Aldermanic committee mentions neither my name nor that of any employee of the committee. My consultation with Alderman Curran, chairman of the committee of police investigation, held this afternoon, was on matters entirely foreign to the subject matter of Commissioner Waldo's communication."

and Chairman Curran mentioned in the statement was held in Mr. Curran's office in City Hall. Chairman Curran also said that it dealt with matters entirely distinct from the Waldo letter.

Commissioner Waldo's letter was delivered to the Aldermanic committee in a way bound to arouse curiosity as to its contents in the City Hall. Lieut. Reilly of the Commissioner's staff came into the Aldermanic chamber as the session was about to open and announced impressively, "A letter for Chairman Curran."

Inasmuch as most letters come to the chairman of the committee with less pomp, the inquisitive instinct of everybody who would be expected to have such a thing was immediately excited by this exceptional communication.

The letter was taken up by the committee in executive session Friday morning. At the end of the session it was announced that the contents of the communication could not be made public until there had been an investigation. This only whetted the curiosity of the City Hall loungers, and forthwith the rumor dispensers became active.

Chairman Curran said last night that the letter had been turned over to Emory I. Buckner, chief counsel for the committee, and nothing could be said about it until the investigators had finished their work. Asked if he was satisfied with the work of Chief Flynn, he replied that he heard nothing but praise for Flynn and for his integrity and ability from Counsel Buckner and the members of the committee and that he himself was entirely satisfied in every way with the services of the secret service chief.

Mr. Buckner would add nothing to his work. Asked if he was satisfied with the work of Chief Flynn, he replied that he heard nothing but praise for Flynn and for his integrity and ability from Counsel Buckner and the members of the committee and that he himself was entirely satisfied in every way with the services of the secret service chief.

There will be another executive session of the committee just before the public session next Wednesday afternoon and it is likely that some definite explanation of the matter will come out after this meeting.

\$2,000,000 HOTEL FOR NEWARK.

It Will Be Erected at Broad and Lafayette Streets.

NEWARK, Nov. 8.—A \$2,000,000 hotel will be built at Broad and Lafayette streets. The proposed structure will be twelve stories high and will contain 310 rooms. It will be called the Chancery Lafayette. It will be under the supervision of the General Hotel Corporation of New York.

Among those behind the scheme are Curtis E. Burnett, president of the Board of Trade; Postmaster Frank J. Book; Christian Fleisner, president of the Broad and Market Bank; George W. Avery, E. Thompson (Owen) and Irving H. Tilton of the Hotel Corporation and William Milligan of the Hotel Rector Company.

M'MANIGAL BARES DYNAMITING JOBS

Continued from First Page.

and R. H. Houllhan, financial secretary, one of the defendants, took him into a private room and handed him an envelope from his "Friend Ping." The envelope contained \$165, said McManigal.

"How does he happen to owe you so much money?" Houllhan inquired, according to McManigal. "Oh, maybe it's a loan," McManigal says he replied. He also told of Hockin having told him at one time that he used the aliases of Ping and Clark and that when he received any telegrams signed by those names the telegrams were from Hockin.

A few days after the Clinton explosion McManigal went to Evansville to work. He said he met Hockin in the street and the latter rushed up and exclaimed:

"I never was so glad to see a man in my life. I saw in the papers where they arrested a man at Clinton with a suit case full of dynamite and I thought it was you. I am going right over and telegraph to Indianapolis that the man is all right."

In June, he said, Hockin again came to him in Chicago and inquired if he had any of the dynamite left. McManigal replied that he had. A short time later he received a telegram from Ping saying, "Meet me in Buffalo and make it heavy."

The witness said that he went to Buffalo and met Hockin and then was told that McManigal or Marshall were constructing a bridge for the Lehigh Valley Railroad Company and that it must be dynamited. He carried the dynamite with him in a suit case that he had bought under Hockin's instructions and on the night of July 1, 1908, the explosion was pulled off, the bridge being partially destroyed. For this job he received \$155.

The witness said that he protested against this kind of work on several occasions, but on each Hockin reminded him that he was already "in for it" and might as well go ahead. His greatest concern, after two or three

explosions, he said, was not to destroy life or injure any person, and he had to delay some jobs through fear of personal injury to others.

McManigal then gave details of the explosion at Holyoke, Mass., where an attempt was made to destroy a railroad bridge; the blowing up of the Boston Opera House on March 27, 1909, and the dynamiting of the viaduct at Hoboken, N. J., on March 30, 1909, which was being constructed by McManigal and Marshall.

From Boston McManigal went to New York, where he says he met Frank C. Webb. He says Hockin told him Webb would point out the bridge at Hoboken that was to be blown up and that on the way to Hoboken he said Webb pointed out a bridge at Jersey City, which, he said, Webb told him he would like to be blown up.

"I cannot do that because Hockin said for me to do only the work for the executive board, or I would not get any pay," McManigal told Webb. "You might come back this way again and do that job," Webb is said to have replied. "The boys here have got about \$5,000 or \$6,000 in the treasury they would like to use up."

They went to the Hoboken bridge job, McManigal testified, and then McManigal returned to New York and went to the station, where, he says, he got the package containing the dynamite which he checked there. He took the explosive to the bridge, and that night the structure was blown up. This was on the night of March 31, 1909.

Before leaving Webb McManigal testified that Webb gave him \$50, saying that Young sent it to him for his expenses. On his return to Chicago McManigal said that Hockin asked him if Webb gave him the \$50, and he re-

sponded that he had. He said that Hockin then told him he would have to deduct it from his allowance. He said Hockin then gave him \$300, the sum of \$12 being the amount for each of the two Eastern jobs and \$50 for his expenses.

In Buffalo, Hockin, said the witness, wanted time to get out of the city before the explosion took place, and Hockin told him he was going to Toronto, Canada, in order to be away before the dynamiting was done.

The next night he returned to the bridge, but said he found difficulty in getting on the structure. He hid the dynamite in the railroad yard and placed a revolver beside it, then climbed on a boxcar to look around. Two officers ordered him to leave the yard and afterward he returned and got the dynamite and the revolver. He returned to the bridge, but found difficulty in reaching it from the yards below. A switch engine was working in the yards and a boxcar was seen down just under the bridge.

Stealthily, he looked around for the railroad watchmen who previously had molested him, but did not see them. He made his way carefully to the boxcar, carrying the package containing forty sticks of dynamite. His revolver was strapped to him with a holster and belt. He reached the top of the car and found it was just high enough for him to climb to the bridge. He took the dynamite, placed it on the bridge, then let the fifty feet of fuse dangle down into the yards below. He then climbed down again, lit the fuse and started for the station. He heard the explosion just before he got to the depot.

In connection with all these explosions he dealt with Hockin and received pay either from him or through him.

Stern Brothers

To-morrow, Monday, Exceptional Values in

Black and Colored Dress Silks

Imported Satin Lumineux, 36 inches wide, Regularly sold at \$2.50 Yard, at \$1.58

Charmeuse and Crepe Meteor, 40 inches wide, in a complete assortment of colors, also white and black, Actual Value \$2.00 Yard, 1.35

Crepe de Chine, 40 inches wide, in a full line of light and dark colors, also white and black, Actual Value \$1.75 Yard, 1.25

Lace Departments

Unusual Reductions in prices have been made in High Class Paris Novelties, consisting of

Chiffon Flouncings in colored, beaded and metal combinations, at \$2.25, 2.95

Regular Values from \$3.15 to 4.50 Yard

Edges and Bandings, in metal and beaded effects, two to ten